

# Notice of Allowability

Application No.

10/560,158

Applicant(s)

MALDZIUNAS, ARVYDAS  
ANTANAS

Examiner

Pascal M. Bui-Pho

Art Unit

2878

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communications filed 01 October 2007.
2. ☒ The allowed claim(s) is/are 1-22.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 20071001
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

  
THANH X. LUU  
PRIMARY EXAMINER

## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Response to Amendment*

2. Examiner herein acknowledges entry of amendments set forth in Claims 1, 4-7, 14, and 15. Claim 22 has been added. Accordingly, Claims 1-22 remain pending.

### *Allowable Subject Matter*

3. Claims 1-22 are allowed over prior arts.
4. The following is an Examiner's statement of reasons for allowance:

**With regards to claims 1, 17, and 19**, the prior arts of record fail to anticipate and/or render obvious, either solely or in combination, a photo radiation intensity directional sensor or a photo radiation directional intensity sensor calibration method comprising, among other features/steps, at least a first and second sensing element placed at a first side of a printed circuit board, where the first and second sensing elements are separated by a first flange serving as a shading element, at least a third sensing element sensitive to radiation placed at a second side of the printed circuit board, and where the printed circuit board is arranged in such a way that it function as a shading element between the areas on its first and second side where the sensing elements are mounted.

**Claims 17-21** are further allowed for similar reasons as set forth in Office action mailed 02 April 2007.

**Claims 2-16 and 22** are allowed at least by virtue of their dependency upon an allowable base claim.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- I) Hersom et al. (US 6,490,801)
- II) West (US 5,957,375)
- III) Zimmer et al. (US 5,117,744)
- IV) Carlton (US 4,445,030)
- V) Hammons (US 4,225,781)
- VI) Osawa (US 5,072,105)
- VII) Gardner (US 4,804,832)
- VIII) Malek (US 4,711,998)
- IX) Hotta (US 6,982,407)
- X) Robles et al. (US 6,355,925)
- XI) F.G. Kelly et.al. (US 3,493,765)

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

*Conclusion*

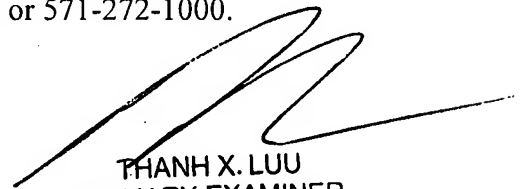
4. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Pascal M. Bui-Pho whose telephone number is (571) 272-2714. The Examiner can normally be reached on Monday through Friday: 8:30 a.m. - 5:00 p.m.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Georgia Epps can be reached on (571) 272-2328. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Pascal M. Bui-Pho  
Examiner, Art Unit 2878  
14 December 2007



THANH X. LUU  
PRIMARY EXAMINER